

Application No.: 10/763,061
Amendment Dated December 19, 2005
Reply to Office Action of September 7, 2005
Attorney Docket No.: F033-3

Remarks/Arguments

Claims 1-14, 16-22, 28-33, and 35-41 are in the application. Claims 1, 18, 31, 32, 38, and 39 are in independent form. Claims 15, 23-27, and 34 are cancelled by this amendment.

Claims 6-10, 12, 18, 19, 31-33, and 38-40 are objected to as being dependent upon rejected base claims, but would be allowable if rewritten into independent form. Claims 18-19, 31-33, and 38-40 are rewritten so that they no longer depend from rejected based claims.

Applicants submit arguments below regarding the patentability of claim 1 and its dependents. Rejected claims not dependent on claim 1 are either cancelled or amended to ultimately depend from one of the rewritten claims.

Examiner Interview Summary

Applicants thank the Examiner for courtesies rendered during the December 19, 2005 Examiner interview. Participating in the interview were Examiner Michael T. Cygan, applicant's representative Michael O. Scheinberg, and Dr. Diane K. Stewart of the assignee, FEI Company.

No exhibits were shown. Claim 1 was discussed in relation to Z.F. Ren et al., "Growth of A Single Freestanding Multiwall Carbon Nanotube On Each Nanonickel Dot" ("Ren"). Applicants argued the e-beam evaporation of Ren would direct a beam to a metal source and would not include scanning the beam over the probe tip support member surface. The Examiner will consider the argument further upon filing of the written response.

Claim Rejections - 35 USC § 102

Claims 27-30 are rejected under 35 U.S.C. 102(a) as being anticipated by Baldeschwieler (US5,824,470). Claim 27 is cancelled. Claims 28-30 are amended to depend from rewritten claim 32.

Claim Rejections - 35 USC § 103

Claims 1-5, 11, 13-17, 20-26, 34-37 and 41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cheung (PNAS April 2000) in view of Ren.

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Claims 1 recites "scanning a charged particle beam over said surface, the charged particle beam inducing a reaction with the charged particle beam activated gas to deposit a catalyst layer." Ren teaches the use of electron beam evaporation to deposit a catalyst. The catalyst layer is patterned using lithography. In electron beam evaporation, the electron beam would be directed to a nickel source to heat the source to evaporate the metal, and not to the probe tip support member surface on which the catalyst is to be deposited.

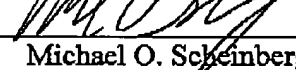
Regarding claims 2-5, 11, 13, and 14, applicants submit that those claims are allowable for the reasons described above with respect to claim 1.

Claims 16, 17, and 20-22 are rewritten to depend ultimately from rewritten claim 18. Claims 23-26 and 34 are cancelled. Claims 35-37 and 40 are rewritten to depend ultimately from rewritten claim 39.

Applicants submit that all claims in the application are allowable, and request reconsideration.

Respectfully submitted,

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